

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KALIEF WILLIAMS,

Plaintiff,

**MEMORANDUM & ORDER**  
21-CV-2922 (EK) (CLP)

-against-

THE RUSSO'S PAYROLL GROUP, INC. dba  
RUSSO'S ON THE BAY; FRANK RUSSO, JR.;  
ROBERT ROBBIE RUSSO et al.,

Defendants.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Pollak's Report and Recommendation (R&R) dated August 4, 2022. ECF No. 41. Judge Pollak recommends granting Defendant Robbie Russo's motion to vacate the entry of default against him and his motion to strike Plaintiff's motion for default judgment. Neither party has filed objections, and the time to do so has expired. See Fed. R. Civ. P. 72(b) advisory committee's note to 1983 addition; accord *State Farm Mut. Auto. Ins. Co. v. Grafman*, 968 F. Supp. 2d 480, 481 (E.D.N.Y. 2013). Having reviewed the record, I find no clear error; accordingly, Robbie Russo's

motion to vacate the entry of default against him is GRANTED.

Plaintiff's motion for default judgment, ECF No. 29, is DENIED.

SO ORDERED.

/s/ Eric Komitee  
ERIC KOMITEE  
United States District Judge

Dated: September 30, 2022  
Brooklyn, New York